



PHILIP D. MURPHY  
*Governor*

State of New Jersey  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO Box 802  
TRENTON, NJ 08625-0802



LT. GOVERNOR SHEILA Y. OLIVER  
*Commissioner*

---

## FORMAL TECHNICAL OPINION (FTO) 4

Issued: November 1992 Code Ref. Update: June 2006  
Subject: Exemption from Floor Drain Requirement for Gas Stations  
Reference: N.J.A.C. 5:23-3.15, Plumbing Subcode, Section 6.3


---

A recently enacted Federal Environmental Protection Agency standard (the "TC Rule") makes gasoline station effluent, which contains benzene, unsuitable for discharge into storm or septic sewer systems. Additionally, in some municipalities, the local sewer authority will not accept the discharge of benzene containing effluent into the sanitary sewer, either.

In response to this rule, a major oil company has asked that gas stations be exempt from the State plumbing code's requirement for floor drains. Other automotive facilities with bays and drains, such as repair facilities and dealerships, may have the same problem. Applicants who have no legal method of discharge should be allowed to request a variation from the requirement to install floor drains and should be permitted to remove or cap those which exist.

While some applicants (with thoughts of other building uses in the future) may agree to install and cap required drains, other gas station applicants should be exempt upon request. Federal fines of up to a million dollars a day for discharge of benzene make elimination of the drains a reasonable way to ensure that there will be no accidental dumping or discharge into sewer or septic systems, as these are not legal repositories for effluent.

In the absence of floor drains, waste will be containerized.



Edward M. Smith, Director  
Division of Codes and Standards

**PURSUANT TO THE AUTHORITY OF N.J.S.A. 52:27D ET SEQ., AS AMENDED, THIS FORMAL TECHNICAL OPINION IS CONSIDERED TO BE BINDING UPON ALL CODE OFFICIALS.**